

## **REMARKS**

The Office Action mailed May 30, 2006 considered claims 1-43. Claims 38 and 39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-15, 22, 33-34, and 36-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Wolff et al. (US 2002/0029158) hereinafter *Wolff*. Claims 16-21, 23-32, and 35 are rejected under 36 U.S.C. 103(a) as being unpatentable over *Wolff* in view of Tyler et al. (US 5,523,942) hereinafter *Tyler*.<sup>1</sup>

By this paper, claims 1, 6-8, 13, 22, 37 and 40 have been amended and claims 44-47 are new.<sup>2</sup> Accordingly, claims 1-47 are pending. Claims 1, 13, 22, 37 and 40 are the only independent claims at issue.

The present claims are generally directed to embodiments in which a host system (claims 1, 13, and 40) facilitates negotiation information for negotiation of reinsurance between a cedent (claim 22) and one or more potential assumers (claim 37). In claim 1, for example, a system facilitates the negotiation for reinsurance of a risk. Claim 1 defines receiving a submission of a risk for reinsurance from a cedent. The submission includes a risk record describing the origin of the risk for which reinsurance is being sought. The risk record is constructed from cedent collected information entered by the cedent into the system based on the cedent's association with the risk. Next, claim 1 defines conveying the submission to selected assumers of reinsurance risks.

Additionally, claim 1 defines receiving one or more responses to the submission from selected assumers to whom the submission was conveyed. The received responses indicate one or more assumers that are interested in negotiating for or concluding reinsurance of the risk. Next, claim 1 defines conveying the received responses to the cedent. Claim 1 further defines receiving a reply from the cedent for a received response from an assumer interested in negotiating for reinsurance of the risk. The reply alters the risk record for the submission with

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> Support for the amendments to the claims are found throughout the specification and previously presented claims, including, but not limited to paragraphs 27, 29, 32, 35-41, 44-49, and 60, of the specification.

respect to the assumer. Finally, claim 1 defines concluding the negotiation such that the risk is either bound or the negotiation is terminated without binding the risk.

Claim 13 is a method claim similar to claim 1 from the perspective of a host system. Claim 40 is a computer program product claim from the perspective of a host system. Claim 22 is a method claims from the perspective of a cedent. Claim 37 is a method claim from the perspective of an assumer.

*Wolff* describes a method and system for the life insurance industry (Title). Generally, *Wolff* facilitates the transfer of relevant information, related to a prospective insured for purposes of life insurance, from third party service providers to insurers. (Figure 1). Relevant information from third party providers can be aggregated at an insurance file assembly system such that insurers can access relevant information from a common location. (Figure 2 and para. [0034]). Requests for life insurance ratings can be sent to multiple insurers. (Figures 1, 2, 3 and para. [0034]). The multiple insurers use information from the insurance file assembly system to bid on life insurance for the prospective insured. (Figures 1, 2, 3 and para. [0034]). Second and subsequent rounds of bidding can occur, with bids from previous rounds of bidding being sent to prospective bidders. (para. [0034]). An embodiment of the system allows Primary Insurers to make their interactions with Reinsurers more efficient (Figure 10 and para. [0037]).

However, the cited art fails, either singly or in combination, to disclose or otherwise suggest receiving a submission of a risk for reinsurance from a cedent, the submission including a risk record describing the origin of the risk for which reinsurance is being sought, the risk record constructed from cedent collected information entered by the cedent into the system based on the cedent's association with the risk, as recited in claim 1. Further, the cited art fails, either singly or in combination, to disclose or otherwise suggest receiving one or more responses to the submission from selected assumers to whom the submission was conveyed, the received responses indicative of one or more assumers that are interested in negotiating for or concluding reinsurance of the risk. Additionally, the cited art fails, either singly or in combination, to disclose or otherwise suggest receiving a reply from the cedent for a received response from an assumer interested in negotiating for reinsurance of the risk, the reply altering the risk record for the submission with respect to the assumer, as recited in claim 1. Additionally, the cited art fails, either singly or in combination, to disclose or otherwise suggest concluding a negotiation for

reinsurance based on the risk record entered by the cedent into the system and altered through a received response from an assumer and subsequent reply from the cedent, as recited in claim 1.

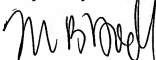
In view of the forgoing, and at least for this reason, applicant submits that amended claim 1 patentably defines over the prior art of record. For at least any of the same reasons, claims 13, 22, 37, and 40 also patentably define over the prior art of record. Since each of dependent claims depend from one of claims 1, 13, 22, 37, and 40, each of the dependent claims also patentably defines over the prior art of record. Further, many of dependent claims independently distinguish over the prior art of record. For example, the cited art fails, either singly or in combination, to disclose or otherwise suggest a tailored reply provided to one assumer is isolated from tailored reply provided to another assumer such that one cedent can privately conduct multiple unique threads of negotiation with multiple assumers so as to isolate negotiations with different assumers from one another, as recited in claim 7. *Wolff* teaches away from isolation since prior bids can be sent to prospective bidders in subsequent rounds of bidding.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 14<sup>th</sup> day of August, 2006.

Respectfully submitted

A handwritten signature in black ink, appearing to read "John C. Stringham".

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